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SIERRA CLUB CALIFORNIA
UNION OF CONCERNED SCIENTISTS
VALLEY IMPROVEMENT PROJECTS

April 22, 2015

Chair Nichols & Members of the Board
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

RE: Item 15-3-4 - Draft Sustainable Freight Strategy

Dear Chair Nichols and Members of the Board:

On behalf of the undersigned members of the **California Cleaner Freight Coalition ("CCFC")**, we submit these comments on the California Air Resources Board's ("CARB") Sustainable Freight Strategy Discussion Draft ("Discussion Draft"). We believe this process is critical to improving public health and air quality in California, especially in our most impacted communities. Importantly, even though the Board will not be taking formal action at the April 23rd Board meeting, the draft report notes "[f]ollowing [the April 2015 Board meeting], we will finalize this document to reflect any direction from the Board and appropriate changes in response to public comment." Discussion Draft, at 54. Thus, it is important for Board Members to provide guidance at the April meeting.

Overall, this draft provides much greater detail than previous concept drafts and presentations. In particular, we are pleased about the inclusion of near-term regulatory measures and enhanced enforcement of existing regulations. While we applaud CARB for making progress

in developing the concepts contained in the draft, there remain significant gaps in the overall strategy, including an assessment of how addressing pollution from the freight system will play into meeting state and federal air quality standards. The following sections provide some of the key positions of the CCFC on the Discussion Draft.

I. The Evidence is Clear That CARB Needs a Bold Vision To Clean Up the Freight System.

The Discussion Draft provides significant details about the compelling need for California to act quickly to curb harmful freight pollution. First, the freight system is responsible for approximately half of the toxic diesel particulate matter in California, contributing to thousands of deaths, hospitalizations and emergency room visits at an estimated cost of \$20 billion annually Discussion Draft, at 1, 17. For decades, residents around freight hubs (i.e. railyards, ports, warehouses, airports) have suffered disproportionately from breathing this toxic air. Moreover, as a result of California's Office of Environmental Health Hazard Assessment's determination that infants and children are 1.5 to three times more sensitive to the harmful effects of air toxics, we now know that toxics like diesel exhaust are even more dangerous than we previously believed. Discussion Draft, at 2. The health of our children around freight hubs depends on swift and bold actions by CARB.

Second, the freight system is an incredibly large driver of ozone and particulate matter pollution, responsible for 45% of the Nitrogen Oxide ("NOx") emissions in California. Discussion Draft, at 1. To solve our air quality problems in places like the San Joaquin Valley and the South Coast Air Basin, we must tackle freight pollution.

Third, while staff estimates that the freight system is responsible for 6% of the greenhouse gas emissions ("GHG") statewide, freight system GHG emissions are projected to almost double by 2050. Discussion Draft, at 1, 13. This growth in emissions based on rapid expansion of our freight system requires significant attention.

Since this industry makes it unsafe to breathe in the many neighborhoods adjacent to freight facilities, contributes heavily to our regional pollution problems, and will continue to increase in its share of climate pollution, California must act now. Accordingly, we completely agree with the very first point of the Discussion Draft that states "California must take effective, well-coordinated actions to transition to a zero emission transportation system for freight." Discussion Draft, at 1. Accordingly, CARB should devote sufficient resources to addressing the freight issue.

In addition to taking actions that are within CARB's jurisdiction, we urge CARB to continue working with the California Department of Transportation ("CALTRANS"), California State Transportation Agency ("CalSTA"), California Energy Commission ("CEC") and GoBiz

toward an integrated administration-wide effort to truly transform our freight system. We are disappointed that this broader strategy has been delayed until next year.

II. Support for Regulatory Measures.

As CCFC has articulated consistently, regulatory measures will be important to cleaning up freight pollution. It is vital that California send a message now that our State will make this necessary move to zero-emission technologies. This cannot solely be accomplished through incentives and voluntary approaches. Instead, regulations with incentives carefully crafted to facilitate early compliance should be the preferred option. CARB already has a track record of achieving significant reductions in pollution from certain parts of the freight industry, which has saved tens of thousands of lives already.

We are pleased that CARB has proposed specific regulatory concepts to pursue in the near-term. Specifically, the commitment to start rulemakings on Delivery Vans/Small Trucks, Large Spark-Ignition Equipment (forklifts, etc), Transit Busses, Airport Shuttles, and Transportation Refrigeration Units is encouraging. We agree that all of these sources already have applications that are zero emissions, and regulations will be useful to scale up the use of clean technologies. Moreover, enhanced use of zero emissions technologies in applications like transit busses will be helpful in developing this technology in the heavy duty vehicle sector as recent reports have established.

We are also encouraged by the inclusion of a facilities-based strategy. Discussion Draft, at 44. Tools like Indirect Source Review can be strong approaches to controlling pollution. However, a facility-based approach should not preclude moving forward with other regulations and incentives to clean up freight pollution.

Finally, we support a robust data collection effort of the freight system in California and encourage CARB to take the steps necessary to compel freight supply chain facilities and equipment and vehicle operators to report the required information. Evaluating the progress of emission reduction efforts will be an important component of a successful sustainable freight strategy and will require a robust set of metrics and data. CARB did not identify in the Discussion Document how data collection would occur, but should consider data reporting requirements for freight entities to ensure a consistent and comprehensive set of information about California's freight system is developed and made available.

III. Additional Near-Term Regulatory Measures Suggested.

The initial list of near-term regulatory measures should be expanded to include a near term measure to initiate a Zero Emission Vehicle ("ZEV") regulatory program for Heavy Duty Vehicles ("HDV") focused initially on drayage truck applications. Even though the advanced technologies for drayage trucks are still being demonstrated in large-scale applications,

California must be a leader in formally taking action. This is particularly important for the drayage fleet because these are trucks traveling in neighborhoods close to many freight hubs. Recently, CARB committed significant funding from the Air Quality Improvement Program towards demonstration of advanced technology on-road trucks (\$20-25 Million in Fiscal Year 2014/15 for drayage trucks¹ and a proposed \$20 million for on-road trucks in fiscal year 2015/16²). Additional funding from the California Energy Commission is also being invested in zero-emission truck technologies, including \$3 million to support the South Coast Air Quality Management District project to demonstrate an electric truck corridor intended for the I-710.³ These investments will accelerate the development and deployment of advanced, zero tailpipe emission technologies. However, to move these technologies from demonstration to commercialization and deployment, a combination of coordinated regulatory and incentives strategies is needed. CARB should include in the near term measures a commitment to develop regulatory and incentive strategies for drayage truck operations. Doing so sooner rather than later will ensure that technology manufacturers have the confidence to invest in deploying the technology and provide greater certainty to fleets regarding the truck purchases they will make over the next several years.

Airport ground support equipment is another category of equipment that should be subject to near term regulations requiring zero-emission technologies. The application of such technologies has already been demonstrated and near-term regulatory measures are needed to eliminate emissions from these sources.

Moreover, despite years of promise to clean up California's most toxic railyards, the Discussion Draft does not deliver the full relief being sought by railyard communities over the years. In particular, we strongly suggest looking to whatever sources at railyards CARB staff believes it can control and immediately start rulemakings to control those sources. For example, CARB could start on a cargo handling equipment rule for railyards, another area where investment dollars in technology demonstrations have recently been targeted. With that said, we strongly support CARB petitioning the Environmental Protection Agency ("EPA") to move forward on Tier 5 rulemaking for locomotives. We need the federal government to start this process quickly, so a petition from California will hopefully compel EPA to act.

IV. Support for Heavy Duty Truck Measures.

We are pleased to see that staff is recommending a suite of heavy duty truck inspection and maintenance programs. Discussion Draft, at 29. These programs can be helpful in ensuring trucks required under existing regulations actually operate correctly. We also appreciate that

¹ http://www.arb.ca.gov/msprog/aqip/fundplan/final_fy1415_aqip_ggrf_fundingplan.pdf

² http://www.arb.ca.gov/msprog/aqip/meetings/032615_discussion_doc.pdf

³ <http://www.energy.ca.gov/2013publications/CEC-600-2013-003/CEC-600-2013-003-CMF.pdf>

CARB will seek to engage the EPA in further reducing NOx emissions from new heavy-duty trucks and is poised to act on its own if the EPA is unresponsive. We are happy to support these requests of EPA.

V. Support for Heightened Enforcement.

The burden of freight-related impacts does not fall evenly on all Californians; instead, it falls disproportionately on low-income communities and communities of color, whose health suffers from diesel exhaust coming from freight traffic. Therefore, we wholeheartedly support the immediate CARB actions to reduce localized health risk through expanding enforcement presence, focusing on freight hubs, and increasing the efficiency of statewide truck and bus rule enforcement.

VI. Commitment to Undertake Updated Health Risk Assessments.

The Discussion Draft articulates that we now know more about the health risks of exposure to air toxics, which include diesel emissions. On page 20 of the Draft, CARB commits to using “the new methodologies for future health risk assessments.” Discussion Draft, at 20. CARB should articulate a specific timeline for completing updated health risk assessments based the latest risk assessment methodology and air dispersion modeling. In addition, we suggest CARB use Health Impact Assessment tools to provide additional information about the health impacts and the benefits of cleaning up the freight system.⁴ Many parts of the Discussion Draft include asking EPA to take action to aid California’s efforts in addressing freight pollution, and the extremely unsafe air near freight hubs helps build the case that the federal government should adopt regulations or allow California to move forward on its own.

VII. Freight Land Use Handbook & Freight Planning.

We encourage CARB to play a significant role in the California Environmental Quality Act (“CEQA”) process for large freight projects. Unfortunately, even with the current Land Use Handbook in existence, recommendations are routinely ignored by agencies throughout the state. Given this sad reality, we suggest that any freight land use handbook be endorsed by the Office of Planning and Research to ensure agencies actually follow any guidance. Unless compliance is required, we are fearful the industry will continue to flout common-sense recommendations on protecting communities from their toxic operations.

Finally, we encourage CARB to participate in the environmental planning for large freight projects. From Oakland down to the California/Mexico border region, large freight-

⁴ HIAs have been used in the freight context. For example, EPA has started the process of an HIA related to freight operations in Southern California. *See* <http://www.epa.gov/region9/nepa/PortsHIA/>.

related projects are moving forward today. It is important for CARB to shape these projects as these infrastructure investments will impact emissions for decades and the Discussion Draft makes clear we need to start investing our transportation dollars in a truly clean freight system. We encourage the proposed collaboration with state transportation and energy agencies to work through these infrastructure issues moving forward, but many local jurisdictions are pushing forward massive overhauls of their freight system as we speak. As billions of dollars are being spent now on freight projects and even more slated to be spent in the future, it is important for CARB to insert its wisdom into the planning process to ensure projects are consistent with the vision for a cleaner freight system.

VIII. Support for Finding New Funding Resources.

CCFC supports finding new revenues to help push the transformation of the freight system. There are many options available, including tolling, container fees and other strategies that could help provide additional resources. Part of the strategy should be looking at these mechanisms to assess their viability to help make near and long-term progress to truly transform the freight system.

We appreciate your consideration of these comments, and we appreciate the time that your staff have taken to hear our concerns and suggestions. We strongly support CARB taking a leadership role in tackling the pernicious freight pollution problem. We continue to look forward to seeing the broader transformational programs be developed and implemented to solve this pollution problem, and urge you to move quickly in developing a comprehensive Sustainable Freight Strategy in coordination with other state agencies. We look forward to continuing our work with CARB.

Sincerely,



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